

Message Text

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C O N F I D E N T I A L STATE 041380

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E.O. 11652: GDS

TAGS: PGOV, KS, US

SUBJECT: AGREEMENTS ON CONGRESSIONAL APPEARANCE OF
TONGSUN PARK

1. REPEATED BELOW, FYI, IS A DRAFT, "MEMORANDUM OF UNDERSTANDING BETWEEN THE HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT AND COUNSEL FOR MR. TONGSUN PARK CONCERNING THE VOLUNTARY TESTIMONY OF MR. PARK," GIVEN TO US FEBRUARY 15 BY ROK EMBASSY. ROK POLITICAL COUNSELOR PARK TELLS US SUBSTANCE OF MEMORANDUM NOW AGREED, BUT QUESTION REMAINS WHETHER PARK'S COUNSEL WILL SIGN SEPARATE, IDENTICAL MEMORANDA WITH HOUSE COMMITTEE AND SENATE ETHICS COMMITTEE OR SINGLE MEMORANDUM WITH BOTH COMMITTEES. ALSO TIMING OF APPEARANCES BEFORE TWO COMMITTEES REMAINS TO BE WORKED OUT.

2. IN ADDITION TO DRAFT MEMORANDUM PARK ALSO PROPOSED
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EXCHANGE OF NOTES WHICH WOULD APPLY TRAVEL, AND U.S. ADMITTANCE AND DEPARTURE ARRANGEMENTS, CONTAINED IN DECEMBER 31 JOINT COMMUNIQUE, TO CASE OF CONGRESSIONAL APPEARANCES. WE ARE PURSUING THIS OPTION.

3. BEGIN TEXT:

1. TONGSUN PARK WILL APPEAR VOLUNTARILY BEFORE THE HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT (THE COMMITTEE). HE WILL ARRIVE IN THE UNITED STATES NOT LATER THAN FEBRUARY 26, 1978 AND WILL BE AVAILABLE FOR TESTIMONY NOT LATER THAN FEBRUARY 28, 1978.

2. THE COMMITTEE RECOGNIZES THAT THE UNITED STATES DEPARTMENT OF JUSTICE HAS INFORMALLY GRANTED TONGSUN PARK TRANSACTIONAL IMMUNITY FROM PROSECUTION FOR PAST CRIMES RELATING TO HIS ALLEGED PAYMENTS TO CONGRESSMEN, CONDITIONED ON HIS PROVIDING FULL COOPERATION TO THE UNITED STATES DEPARTMENT OF JUSTICE AS DEFINED IN THE MEMORANDUM OF UNDERSTANDING BETWEEN THE U.S. DEPARTMENT OF JUSTICE AND MR. TONGSUN PARK, DATED JANUARY 11, 1978, AND WILL TAKE NO ACTION INCONSISTENT WITH SUCH GRANT.

3. THE EXAMINATION OF TONGSUN PARK ON BEHALF OF THE COMMITTEE WILL BE TRANSCRIBED, AND A COPY OF THE TRANSCRIPT WILL BE AVAILABLE FOR INSPECTION TO COUNSEL FOR TONGSUN PARK.

4. TONGSUN PARK ASSUMES BY THIS MEMORANDUM OF UNDERSTANDING NO OBLIGATION TO APPEAR BEFORE OTHER CONGRESSIONAL COMMITTEES.

5. TONGSUN PARK MAY BE REPRESENTED BY COUNSEL OF HIS CONFIDENTIAL

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OWN CHOICE AT ALL QUESTIONINGS ON BEHALF OF THE COMMITTEE WHETHER SUCH QUESTIONINGS ARE CONDUCTED IN PRIVATE, IN EXECUTIVE SESSION OR IN PUBLIC HEARINGS.

6. THE COMMITTEE WILL MAKE ALL NECESSARY ARRANGEMENTS TO FACILITATE TONGSUN PARK'S ENTRY INTO THE UNITED STATES AND TO PROVIDE FOR THE SECURITY OF TONGSUN PARK WHILE IN THE UNITED STATES SHOULD SUCH PRECAUTIONS BE NECESSARY. IN CARRYING OUT THESE OBLIGATIONS THE COMMITTEE WILL COORDINATE WITH THE UNITED STATES DEPARTMENT OF JUSTICE.

7. THE COMMITTEE WILL PAY ALL REASONABLE COSTS IN CONNECTION WITH TONGSUN PARK'S TRAVEL BETWEEN THE REPUBLIC OF KOREA AND THE UNITED STATES AND HIS STAY IN THE UNITED STATES FOR THE PURPOSE OF TESTIMONY BEFORE THE COMMITTEE OVER AND ABOVE SUCH COSTS AS ARE DEFRAID BY THE DEPARTMENT OF JUSTICE PURSUANT TO ITS UNDERSTANDING WITH TONGSUN PARK OF JANUARY 11, 1978.

8. TONGSUN PARK WILL APPEAR FOR SUCH PUBLIC PROCEEDINGS, FOLLOWING HIS TESTIMONY IN EXECUTIVE SESSION,

AS THE COMMITTEE MAY REQUEST IN THE EXERCISE OF ITS
AUTHORITY, AND THE COMMITTEE WILL UNDERTAKE TO MINIMIZE
THE NUMBER OF TRIPS REQUIRED OF MR. PARK BETWEEN THE
REPUBLIC OF KOREA AND THE UNITED STATES.

9. THE COMMITTEE WILL PERMIT AND FACILITATE TONGSUN
PARK'S CONSENSUAL DEPARTURE FROM THE UNITED STATES
TO THE REPUBLIC OF KOREA PROMPTLY FOLLOWING COMPLETION
OF HIS FULL AND TRUTHFUL TESTIMONY BEFORE THE COMMITTEE
AND SUCH OTHER CONGRESSIONAL COMMITTEE OR COMMITTEES AS
HE MAY TESTIFY BEFORE.

FOR THE HOUSE COMMITTEE ON FOR TONGSUN PARK
STANDARDS OF OFFICIAL CONDUCT
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END TEXT. VANCE

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